

EDMONDS CITY COUNCIL APPROVED MINUTES

September 18, 2012

The Edmonds City Council meeting was called to order at 6:30 p.m. by Mayor Earling in the Council Chambers, 250 5th Avenue North, Edmonds.

ELECTED OFFICIALS PRESENT

Dave Earling, Mayor
Strom Peterson, Council President
Joan Bloom, Councilmember
Kristiana Johnson, Councilmember
Lora Petso, Councilmember
Adrienne Fraley-Monillas, Councilmember
Diane Buckshnis, Councilmember

ELECTED OFFICIALS ABSENT

Frank Yamamoto, Councilmember*
(*participated by phone for Agenda Item 6)

STAFF PRESENT

Al Compaan, Police Chief
Stephen Clifton, Community Services/Economic Development Director
Phil Williams, Public Works Director
Shawn Hunstock, Finance Director
Carrie Hite, Parks & Recreation Director
Rob Chave, Interim Development Serv. Dir.
Mary Ann Hardie, Human Resources Manager
Rob English, City Engineer
Jeff Taraday, City Attorney
Sandy Chase, City Clerk
Jana Spellman, Senior Executive Council Asst.
Jeannie Dines, Recorder

Executive Session Regarding Labor Negotiations per RCW 42.30.140(4)(b)

At 6:30 p.m., Mayor Earling announced that the City Council would meet in executive session regarding labor negotiations per RCW 42.30.140(4)(b). He stated that the executive session was scheduled to last approximately 30 minutes and would be held in the Jury Meeting Room, located in the Public Safety Complex. No action was anticipated to occur as a result of meeting in executive session. Elected officials present at the executive session were: Mayor Earling, and Councilmembers Johnson, Fraley-Monillas, Buckshnis, Peterson, Petso and Bloom. Others present were City Attorney Jeff Taraday, Parks & Recreation Director Carrie Hite, Finance Director Shawn Hunstock and City Clerk Sandy Chase. The executive session concluded at 7:04 p.m.

Mayor Earling reconvened the regular City Council meeting at 7:07 p.m. and led the flag salute.

1. APPROVAL OF AGENDA

COUNCIL PRESIDENT PETERSON MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO APPROVE THE AGENDA IN CONTENT AND ORDER, MOVING ITEM 6 TO FOLLOW AGENDA ITEM 3 AND AGENDA ITEM 10 TO FOLLOW AGENDA ITEM 6.

Councilmember Bloom requested an opportunity to address Agenda Item 10.

MOTION CARRIED (5-1), COUNCILMEMBER BLOOM VOTING NO.

10. DISCUSSION AND POSSIBLE ACTION REGARDING TAKING MINUTES/NOTES DURING EXECUTIVE SESSIONS

Councilmember Bloom read from the minutes of the Council retreat, "It was the consensus of the Council to clarify, revise, rewrite the resolution. Council President Peterson will schedule it for consideration by the full Council during the first half of the year and take public comment. He asked Councilmembers to provide him

their suggestions.” She acknowledged this subject has been on the Council agenda twice before and on Council committee agendas twice but the Council has never taken public comment. The resolutions referenced in this agenda item are very important and have been in place since 1996. Mayor Earling was the Council President at that time; it was felt at that time that it was in the citizens’ best interest that minutes be taken of executive sessions. She recommended no action be taken with regard to taking minutes/notes during executive session until a public hearing has been held.

COUNCILMEMBER BLOOM MOVED, SECONDED BY COUNCILMEMBER JOHNSON, TO PULL ITEM 10, DISCUSSION AND POSSIBLE ACTION REGARDING TAKING MINUTES/NOTES DURING EXECUTIVE SESSIONS, AND SCHEDULE A PUBLIC HEARING AT THE FIRST POSSIBILITY. MOTION CARRIED (5-1), COUNCIL PRESIDENT PETERSON VOTING NO.

Councilmember Bloom advised she planned to make revisions to the minutes of the Public Safety and Personnel Committee meeting.

2. APPROVAL OF CONSENT AGENDA ITEMS

Councilmember Petso requested Item H be removed from the Consent Agenda and Councilmember Buckshnis requested Item G be removed.

COUNCIL PRESIDENT PETERSON MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO APPROVE THE REMAINDER OF THE CONSENT AGENDA. MOTION CARRIED UNANIMOUSLY. The agenda items approved are as follows:

- A. ROLL CALL**
- B. APPROVAL OF CITY COUNCIL MEETING MINUTES OF SEPTEMBER 11, 2012.**
- C. APPROVAL OF CLAIM CHECKS #134142 THROUGH #134306 DATED SEPTEMBER 13, 2012 FOR \$600,875.09.**
- D. APPROVAL OF THE LIST OF BUSINESSES APPLYING FOR RENEWAL OF THEIR LIQUOR LICENSE WITH THE WASHINGTON STATE LIQUOR CONTROL BOARD FOR THE MONTHS OF JULY, AUGUST, AND SEPTEMBER.**
- E. JULY 2012 MONTHLY FINANCIAL REPORT.**
- F. AUTHORIZATION FOR MAYOR TO SIGN A \$500,000 GRANT CONTRACT WITH THE DEPARTMENT OF COMMERCE FOR THE MAIN ST. IMPROVEMENT PROJECT BETWEEN 5TH AND 6TH AVENUES.**
- I. REPORT ON FINAL CONSTRUCTION COSTS FOR THE 2010 WATERMAIN REPLACEMENT PROJECT AND FINAL ACCEPTANCE OF PROJECT.**
- J. AUTHORIZATION FOR THE MAYOR TO SIGN THE 2012 STATEWIDE STORMWATER GRANT PROGRAM AGREEMENT BETWEEN THE STATE OF WASHINGTON DEPARTMENT OF ECOLOGY AND THE CITY OF EDMONDS FOR \$259,745 FOR A VACTOR WASTE FACILITY RETROFIT AT THE PUBLIC WORKS YARD.**

ITEM H: APPROVE A BILL OF SALE TO TRANSFER OWNERSHIP OF SEWER PIPE ON 224TH THAT IS CURRENTLY IN ESPERANCE FROM BEING CITY OWNED TO OVWSD OWNED.

Councilmember Petso stated she pulled this item so that she could abstain from the vote.

COUNCIL PRESIDENT PETERSON MOVED, SECONDED BY COUNCILMEMBER FRALEY-MONILLAS, TO APPROVE ITEM G. MOTION CARRIED (5-0-1), COUNCILMEMBER PETSO ABSTAINING.

ITEM G: AUTHORIZATION FOR MAYOR TO SIGN AGREEMENTS WITH BLUE STAR GAS SEATTLE CO. AND CARBURETOR CONNECTION INC. RE: VEHICLE FLEET PROPANE CONVERSION.

Councilmember Buckshnis reported the conversions will be funded via the General Fund and payback will occur within 24 months. She requested Public Works Director Phil Williams make a brief presentation. Mr. Williams introduced Brett Flanagan, Director of Sales, Blue Gas Seattle Co. and Dave Brazil, Auto Gas Fleet Specialist. He explained this item involves the approval of two contracts, the first with Blue Star Gas Seattle Co. which will result in the conversion of 17 City vehicles to propane as their primary fuel source. Sixteen of the seventeen vehicles are police cars currently in the City's fleet. The kit works very well on Crown Victoria police cars and because they are high mileage vehicles, the payback is much faster than any other City vehicle. The other vehicle to be converted via this contract is a Ford F-350 truck, which when delivered, will be owned by the City's Street Department.

Mr. Williams explained the conversion does not replace the vehicle's existing fuel system. All the vehicles will retain their approximately 21 gallon gas tank for regular unleaded gasoline as well as the propane tank which will dramatically extend the range and flexibility of the vehicles. It provides a backup fuel source in an emergency and gives the Police Department more flexibility with regard to response time and time on the street without refueling.

The propane conversion is a very safe installation. Propane is a much safer fuel than the unleaded regular gas the vehicles currently use today. The cost of the conversion is \$5,095 plus tax per vehicle. The cost of propane today via the City's contract with Blue Start Gas is approximately \$1.61/gallon compared with the cost of regular gas which is \$3.59/gallon, a \$1.98/gallon difference. There is an approximately 8% difference in efficiency between unleaded regular gas and propane. The total contract is \$111,000 including tax to convert the 17 vehicles; the vendor guarantees a minimum of a \$1.25 difference in price between propane and regular gas for the first 24 months. For the last 3 years of the 5 year contract, the vendor guarantees a \$1.00 difference per gallon. Regardless of the market for propane and unleaded gas, the City has a built in, guaranteed savings. The result is an approximately 45% return on investment over the 5 year contract. If the current \$1.98/gallon cost of propane continues for the next 5 years, the payback is even better; the difference in price would exceed \$111,000 plus an additional \$310,000 over the 5 years. Either way, it is an extremely good City investment.

Councilmember Johnson asked if the propane conversion could be moved to a newer vehicle when the existing vehicles are retired. Mr. Williams replied yes, the kits are highly mobile. The cost of installation by a third party is \$1400; it is hoped in the future that the City's shop will be able to install the conversions in new vehicles.

Councilmember Buckshnis asked if there was any change in the vehicle's power. Mr. Williams answered staff did acceleration tests in a demo vehicle with the dual fuel system that was provided by the vendor. The consensus of those in the car was it seemed to be smoother and quieter and run a little better on propane than on unleaded regular gas.

Councilmember Buckshnis asked if the conversion kit could be moved to a smaller vehicle such as if the Police Department decided to use Ford Mustangs. Mr. Williams answered there could be some issues with moving the kit into a very small vehicle. He doubted the Police Department would change to a patrol vehicle that was as small as a Mustang as a larger vehicle is required to accommodate the equipment and electronics required in the modern police patrol vehicle. Some modifications in the geometry of the vehicles were required to make room for the propane tank but staff is satisfied those compromises are worthwhile and there is little loss of space in the vehicle's interior.

Councilmember Buckshnis inquired about the federal and state taxes for gas and propane. Mr. Williams commented since propane is an alternative fuel, the City will save 42 tons/year in greenhouse gas emissions via these conversions. The conversion is good for the environment as well as financially. To stimulate the

environmental benefits, the state provides a waiver of the state fuel tax on propane if the vehicle is registered. The cost to register the vehicle is \$147/year. The \$147/year registration fee is cost effective for these high mileage vehicles.

COUNCILMEMBER BUCKSHNIS MOVED, SECONDED BY COUNCIL PRESIDENT PETERSON, TO APPROVE CONSENT AGENDA ITEM G.

Councilmember Johnson observed funding for the conversion for the police vehicle is from the General Fund; funding for the conversion for the Street Department's Ford F-350 is proposed to be from the Street Fund.

COUNCILMEMBER JOHNSON MOVED, SECONDED BY COUNCILMEMBER FRALEY-MONILLAS, TO AMEND THE MOTION SO THAT FUNDING FOR ALL CONVERSIONS BE FROM THE GENERAL FUND TO PRESERVE THE STREET FUND FOR CAPITAL PROJECTS.

Mr. Williams explained the proposal was to fund the capital cost of the conversion from the fund that will benefit from the cost savings. The Street Fund will benefit from the fuel savings from conversion of the Ford F350 and the General Fund will benefit via fuel savings from conversion of the police vehicles. He envisioned utility vehicles would be converted in the future and expected the cost to convert those vehicles to come from the Utility Fund, an enterprise fund, and the savings to accrue to the Utility Fund.

Councilmember Johnson observed the source of those funds is TBD and gas tax. Because there are so little funds devoted to street improvements, she preferred to retain those funds in the Street Fund. To her it was the principle rather than a cost savings.

Mayor Earling commented the General Fund needs help this year as well. He encouraged the Council to keep costs related to the fund that the savings will benefit.

In response to Councilmember Bloom's request for clarification, Councilmember Buckshnis explained Councilmember Johnson's motion was that the cost of the conversion be funded by the General Fund. Mr. Williams' proposal was that future conversions be funded from the fund that would benefit from the cost savings. Councilmember Buckshnis understood Councilmember Johnson's intent because the City has not been paving streets but she preferred to keep funding related to the cost in the fund that would benefit from the cost savings. She did not support the amendment.

THE VOTE ON THE AMENDMENT FAILED (1-5), COUNCILMEMBER JOHNSON VOTING YES.

THE VOTE ON THE MAIN MOTION CARRIED UNANIMOUSLY.

3. AUDIENCE COMMENTS

Carrie Hite, Parks & Recreation Director, thanked the Council, the Mayor and members of the community who helped with the first, inaugural Edmonds half marathon on Sunday, September 16. It was a very successful event with over 330 runners. The community answered her plea for help when Councilmember Yamamoto was unable to continue his lead role in the event. She also thanked the four police officers and parks staff who helped on Sunday. There are plans to hold the half marathon again next year. She provided each Councilmember a finisher's medallion and plaque.

Rita Miller, Edmonds, spoke on behalf of the "murdered trees on Main Street." She asked who authorized removal of the trees on Main Street that she felt were not in the way of the new pipes. She asked a staff member and was told they were removed to protect "old people like you and me" from tripping. As a walker on Main Street daily, she has never seen any trip hazards nor anyone tripping. She has requested statistics regarding the number of trips or falls that have occurred on Main Street. She explained the trees on Main Street were well shaped, unobtrusive, provided shade and serenity, took carbon dioxide from the air and produced oxygen. She

requested the remaining three trees be preserved. She recalled when the previous trees were cut due to the alleged danger of slipping on the leaves. Now the City is paying to remove those trees and replant 2½-inch circumference trees. She requested larger trees be replanted.

Public Works Director Phil Williams responded the Council is familiar with the project as it has been discussed for a couple of years; in presentations to the Council, grant funding agencies, businesses and property owners on Main and at public meetings, the project description has always included removal of the current trees and replacement with species that are better behaved as street trees. The project includes replacement of everything from building front to building front, 60 feet of right-of-way, new wider sidewalks, curbs, and gutters; street paving, new stormwater collection system and infiltration trench, new waterline, new mid-block crossing, new street lights, and new wiring. It would have been virtually impossible to work around the existing large European Hornbeams and their robust root systems without mortally wounding them. The trees are responsible for nearly all the damage in the sidewalks. The existing trees were planted approximately 35 years ago, they grew quickly and it is time for them to be replaced.

The European Hornbeams will be replaced with Bowhall Maples which are good street trees, more columnar in shape which is thought to be a more successful tree in front of retail. Four October Glory Maple trees will be planted at the intersection of 6th & Main. The October Glory Maple tree is more rounded in shape and a different color to create contrast. The new trees will also absorb carbon dioxide and release oxygen; younger, faster growing trees do so at a higher rate. With regard to the circumference of the trees, he explained it would be difficult to fit trees larger in this location due to the size of the root balls. The trees will grow rapidly and well in these locations.

Mr. Williams commented any attempt to save the trees would not have saved all of them; some of them would have been sacrificed which would have resulted in the retention of some very large European Hornbeams interspersed with the smaller Bowhall Maples in an irregular pattern without any symmetry.

Councilmember Fraley-Monillas asked whether there was any way the three remaining trees could be retained and the work on Main Street finished. Mr. Williams answered the cost would be exorbitant and working around three existing trees would require a very large change order. He was uncertain they could be saved even if an effort were made.

Councilmember Fraley-Monillas asked whether the remaining trees could be transplanted. Mr. William answered he has seen the equipment that is used to transplant a tree of that size but the cost is very elaborate. Companies that move large trees rarely guarantee the results.

Councilmember Bloom asked whether larger trees could be planted. Mr. Williams answered there is a sizable cost associated with trees larger than 2½ inches. In addition, the root balls of 3-4 inch trees are enormous, which results in a higher cost for the equipment to handle a larger tree as well as excavating and backfilling a larger hole. He noted a larger tree is seldom planted in a project such as this. Parks & Recreation Director Carrie Hite agreed a larger caliber tree is costly. The same analysis was done for the Hazel Miller plaza.

Councilmember Bloom asked how rapidly the trees will grow. Ms. Hite answered the trees will be fairly large in 3-5 years. Community Services/Economic Development Director Stephen Clifton pointed out the trees in the plaza of the Civic Center Building are Bowhall Maples and are approximately 10 years old.

Councilmember Petso asked how many trees were removed and planted as part of the Main Street project. Mr. Williams answered 16 trees were removed and 18 will be planted.

Susan Phillip, Edmonds, explained she has been swimming at Yost Pool for about 15 years and has never thanked the Council. She thanked the City for having Yost Pool open this past summer. She commented on the incredible experience swimming outdoors, the beautiful scenery, the feel of the water, the camaraderie with

other swimmers. She summarized many children and families enjoy swimming at Yost Pool. She complimented the staff at Yost Pool who are very accommodating. When completing a survey staff distributed at the pool, she simply wrote FUN. She looked forward to many more summers swimming at Yost Pool. Mayor Earling assured at this time there are no cuts anticipated for Yost Pool.

Ron Wambolt, Edmonds, referred to the police contract with the Town of Woodway. He explained the Edmonds Police Department responded to 30,413 incidents during 2011 and 22,018 incidents not including traffic stops. Calls to Woodway are included in the 22,018. The Police Department budget for 2012 is \$9.5 million. Assuming the number of non-traffic incidents in 2012 will be the same as 2011 and applying 100% of the Police Department's expenses to the 22,108 incidents, equates to \$431 per incident. A calculation of \$431 multiplied by 10 calls as proposed in Woodway's contract equates to \$4,310/month. The charge should be something less than that amount because Edmonds Police do not patrol Woodway for crime prevention or do any parking enforcement. To those that think Edmonds Police Department's time is excessively diluted by calls to Woodway, the annual report indicates there were 822 incidents per Field Services Officer in 2012. Assuming the same would be true in 2012, Woodway's 120 calls are only 15% of one of those officers' time. His understanding was without this contract with Woodway, the City will lose revenue but not lose any expenses. Edmonds has not been subsidizing Woodway as some have suggested. He urged the Council to make an unemotional and objective assessment and approve the proposed contract.

Jenny Anttila, Edmonds, commented everyone loves Edmonds but there is a silent killer in Edmonds, the train. The number of trains is increasing and a quiet zone is needed which she acknowledged is expensive. She recalled a meeting this summer regarding problems created with access to the waterfront by the increasing number of trains but it did not address the noise. Until the City can afford a quiet zone, she recommended the City discuss with Burlington Northern how often the train horn is activated when traveling through Edmonds day and night. She commented on the potential for noise from planes from Paine Field and the noise from ferries, summarizing the train noise is particularly bothersome and getting worse.

Al Rutledge, Edmonds, referred to Agenda Item 5, Budget Schedule, commenting the budget is an important issue to many citizens.

Roger Hertrich, Edmonds, commented regarding the City needing to deal with the Edmonds School District (ESD) on several park properties. Projects listed in the CIP include a pool complex and the old Edmonds-Woodway High School for ballfields only. He recommended combining those projects because there is space at the old Edmonds-Woodway High School for a pool. He recommended appointing a Council representative to the ESD Board, similar to the Council liaison to the Port in order to establish a rapport with the School District and the Board. He also commented that he was glad to see there is a presentation on tonight's agenda regarding chip sealing.

6. POLICE SERVICES CONTRACT - TOWN OF WOODWAY

(Councilmember Yamamoto participated in this item by phone.)

Police Chief Al Compaan explained this matter was last before the Council on August 6. Since that time, Council President Peterson has engaged with representatives from Woodway to reach terms acceptable to both parties. The proposed Police Services Contract is a flat fee of \$3,000/month for up to 10 police responses into the Town of Woodway and an additional charge pro-rated every 15 minutes for a second officer on a response.

Councilmember Petso asked whether the proposed contract included a cost escalator or cost of living adjustment after one year. Chief Compaan answered it did not. The contract has a two year term with an option for a two year renewal.

Councilmember Petso asked for a typical escalator in department costs. Chief Compaan answered the Consumer Price Index (CPI-W) increase June 2011 to June 2012 was 2.7%. Councilmember Petso asked whether Police Department costs increased in line with CPI-W. Chief Compaan answered roughly they do.

COUNCIL PRESIDENT PETERSON MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO AUTHORIZE THE MAYOR TO SIGN THE POLICE SERVICE CONTRACT WITH THE TOWN OF WOODWAY.

Councilmember Buckshnis thanked Council President Peterson for negotiating this contract with Woodway. She ran the numbers and the proposed \$3,000/month contract covers overtime and other costs. She supported the proposed contract, pointing out there was a social equity issue that also needs to be considered.

COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO AMEND THE MOTION SO THAT THE CONTRACT RATE BE INCREASED IN ACCORDANCE WITH CPI AT THE END OF ONE YEAR.

Councilmember Buckshnis asked if CPI was approximately 5%. Chief Compaan answered the CPI-W increase 2011-2012 was 2.7%. Councilmember Buckshnis observed that would be approximately an \$80/month increase.

Chief Compaan relayed Woodway's request that the City bill them on a quarterly basis if the Council approved the proposed contract.

Councilmember Bloom recalled the comment that Edmonds would provide services to Woodway even without a contract. Her understanding of that comment was that it would only be in an emergency, life and death situation. Chief Compaan agreed. Councilmember Bloom asked how many emergency, life and death situations there have been. Chief Compaan responded Priority 1 calls are approximately 10% of the total number of calls in Woodway in a year.

Councilmember Bloom summarized her understanding was if Edmonds did not have a contract with Woodway to provide police services, Edmonds Police would still provide service but only for a very small number of calls. Chief Compaan agreed. Councilmember Bloom asked if that was also true of Esperance. Chief Compaan agreed it was.

Councilmember Bloom referred to comments that the benefit of the police services contract with Woodway was the City would get some money for services the Police Department would provide anyway. However, her understanding was the amount of service the Edmonds Police Department would provide without a contract would be very minimal. Chief Compaan agreed.

Councilmember Bloom recalled when this issue was last discussed there was a cost comparison of the 2012 per capita spending on police services between Edmonds and Woodway. She supported a full service contract rather than the previously proposed contract, because the cost of direct police services per \$1000 of assessed value in Edmonds is \$1.50 versus \$0.36 in Woodway. She asked Chief Compaan to comment on how a cost per call was used to determine the proposed contract versus using assessed valuation. Chief Compaan answered there were a myriad of ways of calculating reasonable compensation for providing police services to Woodway. What is reasonable and fair is what both parties are willing to pay/receive. The \$3,000 proposed monthly cost was determined by the total number of calls in Edmonds in a year divided into the 2012 budget which equates to approximately \$300/call. He acknowledged it is a different calculation than was shared by Mr. Wambolt but neither is incorrect; they are just different ways of looking at the same set of data. Council President Peterson reached agreement with Woodway on a contract amount that he determined was a responsible amount and that Woodway was willing to pay.

UPON ROLL CALL, THE VOTE ON THE AMENDMENT FAILED (3-4), COUNCILMEMBERS BLOOM, FRALEY-MONILLAS, AND PETSO VOTING YES; AND COUNCIL PRESIDENT PETERSON, AND COUNCILMEMBERS YAMAMOTO, BUCKSHNIS AND JOHNSON VOTING NO.

Councilmember Fraley-Monillas asked how the number of police were determined, whether it was based on population or historical calls. Chief Compaan answered both, there is no magic formula; it is very dependent on the community, the demand for services, crime rate and population.

Councilmember Fraley-Monillas asked him to describe the L-5 population indicator that is used to determine the number of patrol officers. Chief Compaan answered it depends on the community; the City of Seattle has a much higher ratio of police officers per 1,000 residents than Edmonds but the nature of police activity is also different. Edmonds currently has approximately 1.3 officers per 1,000 residents; Seattle is significantly higher.

Councilmember Fraley-Monillas asked whether population of L-5 cities is considered for salaries and benefits. Chief Compaan answered yes with regard to the compensation policy; that is different than the number of police officers in a community.

Councilmember Petso recalled when she contacted the Edmonds Police Department for a breakdown between residential and commercial burglary calls, staff indicated that data was not available at this time but would be available with the New World system. Chief Compaan explained when the New World system is operational, hopefully next year, the recovery of data to such inquiries would be much easier. Today it is very difficult if not impossible to extract that data.

COUNCILMEMBER JOHNSON MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO AMEND THE MOTION TO STRIKE SECTION 1.3, WHICH STATES, "THIS AGREEMENT MAY BE EXTENDED ONCE FOR AN ADDITIONAL TWO YEAR PERIOD FROM JANUARY 1, 2015 THROUGH DECEMBER 31, 2016 ON THE SAME TERMS OR SUCH OTHER TERMS AS THE PARTIES MAY DEEM APPROPRIATE."

Councilmember Johnson recognized the City is facing a budget deficit; it would be prudent to limit the City's commitment to two years and continue to evaluate the contract in the coming years to consider all options.

Council President Peterson indicated he would support the proposed amendment. During the next two years the New World system will be able to provide more specific data.

THE VOTE ON THE AMENDMENT CARRIED UNANIMOUSLY.

Councilmember Fraley-Monillas commented having an outstanding relationship with a neighboring city is always important but continuing a partnership is a reciprocal relationship. The contract as proposed is a detriment to the taxpayers of Edmonds. The Council has not done its due diligence to get cost comparisons. Woodway has gotten estimates from surrounding police forces of the cost to provide police services; Woodway has not provided the City those estimates but she has been told they are more than 10 times more than what Woodway would pay under the proposed contract with Edmonds. To the question of what is the right amount to charge Woodway, she pointed out that was unknown as the contract was based on good fiscal times when staffing levels in the Police Department were much higher. The only cost comparison is what Woodway pays Fire District 1 which is over \$500,000/year. The money Woodway pays Fire District 1 is their insurance policy. The cost for fire service is based on population, not number of calls as Woodway would like to pay Edmonds for police services. Woodway had less than 30 fire calls/year which equates to approximately \$17,000 per call. Edmonds bases its number of police, types of specialists in the Edmonds Police Department such as drug taskforce, reconstructionists, detectives, hostage teams, property managers, etc. and hard costs such as Kelly hours, callback, leave accruals, salaries, specialty pay, etc. on population. L-5 has been the tool used for salary and benefit costs which is based on population, not the number of calls or whether calls are residential or commercial. The size of the City's police force is not determined by number of calls.

Councilmember Fraley-Monillas explained the Edmonds Police Department budget is approximately \$9.5 million/year; 25-33% of the City's total budget. The 39,000 Edmonds citizens support the \$9.5 million budget, approximately \$245/person/year. Woodway has approximately 1500 citizens; a cost for police services of \$360,000/year based on this population data. Less the average of 8 hours/day of Woodway's current coverage, means Woodway should pay approximately \$240,000/year or \$20,000 month to break even. When someone purchases an insurance policy or police services for their home, it is insurance in case something happens. She has been purchasing homeowners insurance for 25 years and has never filed a claim but if she needed to, it would be there. She will respectfully support the citizens of Edmonds and the Edmonds Police Department and will vote no on subsidizing Woodway.

Councilmember Petso did not support the motion as she did not feel a per call fee, a flat fee or partial service was a reasonable way to pay for police services. She supported Chief Compaan's earlier suggestion to offer Woodway a full service contract and the benefits that would provide both cities. She pointed out the difficulty pricing partial service; using the numbers Councilmember Fraley-Monillas provided, Edmonds citizens pay \$245/person; under the proposed contract, Woodway citizens would pay \$24/person which is not equitable. She referred comments that this as a backup service contract, pointing out in police service there is no backup service; the service provided is that a citizen can call anytime something happens and police personnel will come with the right equipment to address the situation. That is the service citizens are paying for even though they never or rarely have the need to call the police.

Councilmember Petso explained the difficulty of a partial service contract. She used the example of Edmonds residents living in a secure complex with alarms and fences who never call the police; should they get a partial service contract like Woodway? They would not because citizens pay for the availability of the service, not based on how much they personally use the service. She did not support the motion and preferred a full service contract with Woodway for police services.

Councilmember Bloom thanked Councilmember Fraley-Monillas for her research and Councilmember Petso for her comments. She also did not support the motion. She pointed out the per capita comparison was presented when the Council last discussed this contract. That information indicated if Woodway paid the same \$1.50/\$1000 assessed value as Edmonds, Woodway's budget for direct police services would be \$663,944/year. If Woodway paid the same \$246 per capita as Edmonds, Woodway's budget for direct police services would be \$321,030. She could not support the proposed contract of \$36,000 to provide 16 hours of service/day to Woodway. She felt that devalued the excellent Edmonds Police force and gave away police services.

Councilmember Bloom pointed out another issue is this contract is proposed in advance of a budget that the Council does not know whether will include cutting a police officer or more; \$36,000/year does not even cover the cost of one officer. She could possibly consider a compromise, covering the cost of one police officer. She concluded there was no way she would put this on the back of citizens, expecting them to pay for services provided to Woodway.

Councilmember Buckshnis commented this is not a black and white issue. There are Woodway citizens that sit on City boards and at the Edmonds Center for the Arts, dine at restaurants in the Edmonds, and shop in Edmonds. She acknowledged \$36,000/year to some is not worth bothering with but there is a social equity issue. Once Edmonds begins Budgeting By Priorities (approximately when this contract expires and when the New World system will be operational) more data will be available regarding an appropriate amount. She did not support increasing the police services contract with Woodway from \$7,000, the amount they paid last year, to \$420,000 or \$265,000. She summarized \$36,000/year, based on hours of service plus \$75 per 15 minute increment is a fair contract amount.

Councilmember Fraley-Monillas summarized she was standing for the citizens of Edmonds, not the citizens of Woodway. Woodway should not be rewarded for sitting on boards or coming to Edmonds via a gift of public funds.

UPON ROLL CALL, THE VOTE ON THE MAIN MOTION AS AMENDED CARRIED (4-3); COUNCILMEMBERS BUCKSHNIS, JOHNSON, YAMAMOTO, AND COUNCIL PRESIDENT PETERSON VOTING YES; AND COUNCILMEMBERS FRALEY-MONILLAS, BLOOM AND PETSO VOTING NO.

(Councilmember Yamamoto discontinued his participation in the Council meeting by phone.)

4. INTERIM ZONING ORDINANCE TO ALLOW FARMERS MARKETS IN BUSINESS COMMERCIAL (BC) AND BUSINESS DOWNTOWN (BD) ZONES.

Community Services/Economic Development Director Stephen Clifton explained the City has been approached by the Edmonds Historical Museum regarding operating a produce-only farmers market on Wednesday evenings in the BC (Commercial Business) or BD (Downtown Business) zones beginning in late September this year and extending through approximately November. The City's Development Code does not expressly list farmers markets as a permitted use in the BC or BD zones. The code allows seasonal markets to operate but only during May to September.

If approved by the City Council, the proposed interim zoning ordinance would allow farmers markets in the BC and BD zones. In addition to the issue of farmers markets, staff looked at other areas of the code and found the licensing section, 4.90, also needs significant revisions. If the City Council desires to extend the life of the existing Saturday Market or create a year-round farmers market, that would not be allowed under the current licensing provisions. For example, the licensing section only allows the market to take place on Saturday or Sunday in public rights-of-way between the months of July and September. The current market, which operates between May and October, does not adhere to the existing code. The City's code references community open air markets; a year-round market would likely need to be indoors during the winter months. The code also references the year 1994 and a "test." He summarized the current market is well beyond the testing phase and has proven to be very successful. Another issue that needs to be reviewed is the possibility of allowing community markets in the public right-of-way as well as on public and private property.

The proposed interim zoning ordinance would allow the produce-only farmers market in the BC and BD zones through November. Within the next 60 days, staff will draft code revisions to address the issues of farmers markets, community-oriented market, community-oriented open air market, etc. as well as how the markets would operate on public right-of-way, public property or private property.

A question was raised at the Parks, Planning, and Public Works Committee meeting regarding operation of a market within a densely populated area, specifically BD4 and BD5. Mr. Clifton explained the BD5 zone is located on 4th Avenue between Main Street and the Edmonds Center for the Arts; there are no suitable locations for the type of market the Edmonds Historical Museum wants to operate, up to 27 vendors. The Edmonds Historical Museum likely would operate along the waterfront such as on Port property or the Antique Mall property. The Historical Museum inquired about operating in the Public Works Maintenance Yard at 2nd & Dayton but that is not feasible due to the existing tenants' utilization of the parking lot on Wednesday evenings.

Councilmember Buckshnis asked where the Wednesday farmers market could be located and suggested the atrium on the other side of Artworks on 2nd & Dayton. Mr. Clifton replied that site would not be large enough for 27 vendors. Councilmember Buckshnis asked if streets would be closed to accommodate the Wednesday market. Mr. Clifton explained the Wednesday market would likely be located at the Port or the Antique Mall property. After researching the downtown area, those are the two areas that could host such an event.

Councilmember Bloom thanked Mr. Clifton for the work that was done on this. In the strategic planning process, a year-round market was one of citizens' highest priorities; this is a step in that direction. She relayed her understanding that the proposed interim ordinance would allow a produce-only market but not crafts such as the current summer market offers. Mr. Clifton agreed, explaining the produce-only market might include

produce related products such as jams. Councilmember Bloom asked whether vendors have expressed interest in a produce-only market. Mr. Clifton answered there has been interest expressed.

Councilmember Bloom relayed her understanding that the interim ordinance would be in effect for six months and during that time the Planning Board will review the issues Mr. Clifton agreed.

Mr. Clifton clarified even if the Council approves the interim ordinance, it does not necessarily mean negotiations will result in a produce-only farmers market this year. The interim ordinance was required to allow negotiations regarding a produce-only farmers market to begin.

COUNCILMEMBER BLOOM MOVED, SECONDED BY COUNCILMEMBER FRALEY-MONILLAS, TO APPROVE ORDINANCE NO. 3894, AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, ADOPTING AN INTERIM ZONING ORDINANCE THAT WOULD ALLOW FARMERS MARKETS IN THE BC AND BD ZONES, ESTABLISHING SIX MONTHS AS THE TENTATIVE EFFECTIVE PERIOD OF THE ORDINANCE.

Councilmember Johnson asked Mr. Clifton to describe the location of the BC and BD zones. Mr. Clifton explained the BC zone is primarily the Antique Mall, the old Skipper's property currently Vatika, and the parking lot between the Sound Transit Station. The Port of Edmonds is zoned CW (Commercial Waterfront) and the remainder of the downtown is zoned BD1 – BD5.

Councilmember Johnson suggested it may be appropriate to have vendors who offer arts, crafts and non-food items in the pre-holiday months. Mr. Clifton responded the Edmonds Historical Museum's request was for a produce-only farmers market for a couple months. The interim zoning ordinance was intended to accommodate that request. Councilmember Johnson pointed out there is another market that precedes the summer market. Mr. Clifton agreed, explaining that is the garden market. The summer market begins in July. Councilmember Johnson suggested the different markets be clarified when this matter is reviewed by the Planning Board. Mr. Clifton assured staff plans to clarify the four different markets. The City's code references community-oriented open air market and the definitions section references seasonal farmers market but there is no reference to a farmers market. The interim ordinance inserts the term "farmers market" into the BC and BD zoning.

COUNCILMEMBER JOHNSON MOVED, SECONDED BY COUNCILMEMBER PETSO, TO AMEND THE MOTION TO REVISE SECTION 6 ON PAGE 7 TO READ, "THE PURPOSE OF THE ADOPTION OF THIS INTERIM ZONING ORDINANCE IS TO ESTABLISH THE DEVELOPMENT REGULATIONS THAT WILL ALLOW FARMERS MARKETS TO OPERATE IN THE BC AND/OR BD ZONES WHILE THE PLANNING BOARD HOLDS A PUBLIC HEARING, GAINS PUBLIC INPUT ON THIS ISSUE..." MOTION CARRIED UNANIMOUSLY.

THE VOTE ON THE MAIN MOTION AS AMENDED CARRIED UNANIMOUSLY.

5. 2013 BUDGET SCHEDULE

Finance Director Shawn Hunstock reviewed the budget schedule:

- **September 25: 2013 Budget review work session (60 Minutes)**
 - Each department head will provide a 5-10 minute high level overview of department budget including major changes, service level impacts of any proposed reductions, etc.
 - Preview of budget charts, tables, policies, historical information, etc.
- **October 9: Finance Committee - Review Property Tax Ordinance (15 Minutes)**
- **October 16: Presentation of Preliminary 2013 Budget (30 minutes)**
 - The Finance Director will give a brief overview of the exhibits, layout and changes.
 - High level overview of budget assumptions, major revenue sources, expenditures by fund and department.
- **October 23: Budget Work Session (3 Hours)**

- Detailed page by page review of preliminary budget.
- Q&A with Mayor, Department Heads, and Staff.
- **October 30 (Fifth Tuesday): Budget Work Session (3 Hours)**
 - Continued detailed page by page review of preliminary budget.
 - At least one Councilmember is unable to attend this meeting.
- **November 5**
 - Public Hearing - Revenue sources including property tax increases (20 Minutes).
 - Public Hearing - 2013 Budget (20 Minutes).
 - Property Tax Resolution and Ordinance (20 Minutes).
- **November 20**
 - Public Hearing - 2013 Budget (20 Minutes).
 - 2013 budget adoption (20 minutes).

Mr. Hunstock explained the dates of the October 23 and 30 budget work sessions are flexible and could be rescheduled. Between presentation of the preliminary budget on October 16 and the beginning of the required budget public hearings, there will be at least two opportunities for the Council to review the budget in detail. The property tax ordinance, scheduled for public hearing and review on November 5, is required to be adopted prior to November 30. Adoption of the 2013 budget, tentatively scheduled for November 20, could be delayed until December.

Councilmember Buckshtis reported the monthly and quarterly financial reports have been revised to include narratives and graphs. The Finance Committee discussed including that information in the budget document to provide clarity for citizens. That information will also help citizens understand the City's financial condition in the event the City moves forward with a General Fund levy.

Councilmember Fraley-Monillas asked when this information will be available on the City's website. Mr. Hunstock answered the Council agenda packet with the dates is currently on the City's website. He offered to update the Finance Department webpage to include these dates.

7. HEARING EXAMINER ANNUAL REPORT.

Hearing Examiner Phil Olbrechts explained he has been a hearing examiner since the late 1990s and has held over 1200 hearings. He is currently the hearing examiner for ten municipalities including San Juan County, Port Townsend, Federal Way, and Auburn and alternate examiner for Snohomish County and Lakewood. He has held hearings for every conceivable type of land use action including the largest residential development project in King County: a planned community in Black Diamond worth \$2.5 billion, 6,000 homes and over a million square feet of commercial space. He has worked with all the best attorneys in the State and has addressed all the biggest issues.

As of yesterday, he had issued only nine decisions in the last year in Edmonds. The nine decisions included four variances, two conditional use permits, two subdivisions and one administrative appeal. Today he issued a decision on the Mengenity tree cutting code enforcement action. He was unable to discuss that decision as it was still in the appeal period for reconsideration.

He explained the City's tree cutting regulations provide a wide array of discretion for imposing penalties. For example, for cutting a tree 3 inches in diameter or more the fines range from zero to \$3000 and there is no guidance regarding the imposition of the fines. Staff initially makes a recommendation on the notice of violation and appeals come to the hearing examiner. There are a number of factors that can be considered with regard to tree cutting; for him a very important factor is culpability of the property owner; did they act with knowledge the act was violating the tree ordinance, or how much did they work with the City to get approval, etc. Other factors include damage caused by cutting, impact to adjoining property owners, etc. Over time decisions will establish precedence that will provide predictability and consistency to the decision-making but there are

currently no legislative standards. He encouraged the Council to review decisions as they are made. If the Council felt staff and he were not headed in the right direction, he welcomed the Council's direction such as adding standards to the code or making tree cutting a strict liability offense where a fine is imposed for trees cut without a permit or authorization from the City.

Mr. Olbrechts reviewed the nine decisions he issued since his last annual report in October 2011:

- **Walgreens Conditional Use** (6/28/12): Approved. Proposal to replace Robin Hood Lanes with a Walgreens and a drive-through bank. The proposal generated considerable public opposition due to the loss of the bowling alley. Numerous people wanted the project denied solely on the basis that they didn't want to lose the bowling alley. The decision noted that this was not a valid basis for denial and that the City does not have the authority to force property owners to continue operating a business.
- **Edmonds Variance** (5/3/12): Approved. Variance to noise standards to allow nighttime rehabilitation work at nine wastewater lift stations. Work at each lift station would take two to four weeks with noise continuously exceeding City noise standards throughout the nighttime hours. Strict conditions imposed, including noise studies; notice to all affected property owners of the specific hours of work and the provision of a contact number for complaints; time limits on work and report to the City Council on complaints.
- **Kanczugowski Variance** (4/27/12): Denied. After-the-fact variance require for carport that was built 7.5 feet from a street setback in the RS-8 zone, which imposes a 25-foot setback. The home already had a garage. There was nothing unique about the property to justify a variance.
- **Burnstead PRD/Plat** (3/7/12): Approved. Remand from Court of Appeals 27 lot PRD Plat. Mr. Olbrechts recused himself because a former law partner had been representing the City in litigation against some of the parties which he felt would be a conflict.
- **Key Bank Conditional Use** (2/9/12): Approved. Replacement of existing gas station with Key Bank at corner of Edmonds Way and 100th Ave W. The traffic analysis did not appear to address a couple traffic issues and the conditions of approval required additional analysis.
- **Dent Variance** (1/27/12): Approved, Request for side yard setback to expand home. Lot was 42-feet wide and side yard setbacks totaled 35 feet, leaving only 7 feet for development. The existing home had a 928 square foot first floor and 672 square foot second floor. Proposed home expansion made size of home more consistent with those in vicinity. Lot was grandfathered under County and was half the size and width of lots in the applicable Edmonds zoning district.
- **Classco Administrative Appeal Reconsideration** (1/25/12): Determination of building official dismissed because notice of appeal not sent to adjoining property owners. City sought reconsideration on basis that code didn't require notice. Examiner sustained dismissal.
- **Stonebridge Court Plat Alteration** (12/22/11): Approved. Ten-lot PRD/Plat approved in 2007 with remand from hearing examiner to provide for perimeter buffers that comply with PRD standards. Applicant instead chose to comply with setback requirements, thereby removing trigger for buffer requirements. Applicant also removed an approved waiver of lot coverage requirements, reducing lot coverage from 55% to 31%. Applicant also increased landscaping and tree retention.
- **Stuart Variance** (12/22/11): Approved. Variance to 25 foot street setback to construct a 12-foot retaining wall to shore up rockery at a 0-foot street setback. Any attempt to remove or replace the rockery would endanger those removing it and potentially destabilize a driveway. The retaining wall would not be within view of any other residences.

Mr. Olbrechts commented in the 1200 causes he has heard, he has only recused himself 4 times; the other 3 times were because he was the lawyer representing the city against one of the attorneys. He advised his decisions are posted online. He acknowledged his decisions tend to be long; he is not often reversed as he is very thorough and addresses all the issues and concerns the public raise.

Councilmember Petso expressed her appreciation for his recognition of the quality of Edmonds' built environment and the quality of life in the Edmonds Variance and his ability to be tough on Public Works when appropriate.

Councilmember Bloom relayed a response from Interim Development Services Director Rob Chave that the fine for illegally cutting trees up to 3 inches may be an amount not to exceed \$1000. For trees 3 inches or more, the fine may be an amount not to exceed \$3000. Fines for illegal tree cutting in critical areas or right-of-way shall be tripled so the maximum fine the City would assess is \$9000 per tree. She asked Mr. Olbrechts if the City should have a flat amount rather than a range. Mr. Olbrechts responded if the Council did not like the decisions he and staff were making, more guidelines could be added to the code including flat fee if that was what the Council wished to do. He was comfortable with the wide discretion and creating precedence over time.

Councilmember Bloom asked the range of tree cutting fines. Mr. Olbrechts responded in a tree cutting a year ago the fine was reduced because it was uncontested in the hearing and the City agreed the violator thought she was complying with the code, got approval from the City to cut the trees and her contractor cut more than she directed. Councilmember Bloom asked whether Mr. Olbrechts determined the fine based on his assessment of the case rather than staff's recommendation. Mr. Olbrechts assured staff's recommendation is very important but in that case, he assigned more weight to the fact that the violator had no culpability and reduced the fine further.

Councilmember Buckshnis advised the Tree Board will be reviewing the tree ordinance as she felt there was too much discretion in determining the fines. She believed people who illegally cut trees should be fined more than \$3,000.

Councilmember Johnson asked about the hearing examiner's discretion to ask for additional information. She asked whether he could only consider the evidence before him or was he able to ask for new information. Mr. Olbrechts explained he can ask for more information and often does. In the Edmonds Variance, he asked about decibel levels and what the noise would be comparable to. It is a balancing act because he is not to make the case for either side. For example if the City has not proven its case and he is asking for information to prove their case, it may look like he is biased toward the City. There is a fine line between bias and ensuring his decision is accurate. He tends not to ask for a lot of information unless it is a key point.

Councilmember Johnson asked who has the burden of proof. Mr. Olbrechts explained when someone is requesting a permit approval, they have the burden of proof; they must establish the judicial review standard that there is a substantial amount of evidence that supports their application. They are able to speak first and last. If he is presented insufficient information, he has to deny.

8. PRESENTATION ON CHIP SEALS

Public Works Director Phil Williams wanted to dispel a rumor that he did not know what a chip seal was or had never used it before. He assured he and the City Engineer have done many chip seal projects in their former employment; the City's Transportation Engineer and the Street Supervisor are both very familiar with chip seal. He recalled whenever he has talked with the Council about pavement preservation, he has always referred to the full toolbox of pavement preservation options that include overlay, chip seal, slurry seal, and crack sealing. Those options are all part of a modern, robust pavement management program which Edmonds does not have due to a lack of sufficient funding. The City does its best but is limited by available funding to pothole patching, point repairs, and bandaidding things together until the City can afford to implement a more comprehensive pavement program. He recognized chip seal could be an important part of a pavement program when funding becomes available.

Mr. Williams provided a description of chip seal:

- Pavement preservation treatment
 - Extends pavement life by reducing pavement degradation over time

- Considered as preventive maintenance
- Prevents water from seeping into an asphalt pavement's base course and sub-grade
- Improves skid resistance
- Multiple layers of aggregate may be placed on top of each other
- Curb ramp upgrades are not required (whereas required for overlay projects)
- Cost effective (~ 75% less expensive than street overlay)

He provided a graph that illustrates the process a street goes through during its life. Pavement preservation interrupts that inevitable decline by applying a technique to the street, not letting it deteriorate too far. He described the process of chip sealing:

- Step 1: Thin film of asphalt liquid sprayed on roadway
- Step 2: Small aggregates (“CHIPS”) placed on top
- Step 3: Compaction of chips, to maximize adherence to asphalt and set rock into liquid asphalt (2 to 4 passes of the roller)
- Step 4: Remove excess rock from surface
- Step 5: Application of fog sealant (optional)

Mr. Williams described the two-layer chip seal process:

- a) Repeat of chip seal procedure
- b) Lower application rates of asphalt binder & aggregate
- c) Second aggregate smaller than the first
- d) Smaller aggregate “locks in” larger one

Mr. Williams commented on other local jurisdictions that are using chip seal:

- City of Mountlake Terrace
 - Program used over last 8 years, with annual budget ranging from \$150,000 to \$400,000
 - Funding sources other than gas tax
 - REET (allocation based on annual budget / priority process, no pre-determined amount / percentage going to specific department)
 - General fund
 - TBD Revenue
 - Use two-layer chipped seal process (w/ fog sealant)
 - Recent bid was \$4.70-\$4.80/square yard (compared with approximately \$15/square yard for a 2-inch grind and overlay)
 - Also used on arterial streets since overlay program currently not feasible due to budget
 - Running 14-year chip seal cycle
 - Results
 - Strong citizen support
 - Low cyclist complaints
 - Significant financial savings
- City of Shoreline
 - \$1,000,000 per year programmed for pavement preservation going forward – almost all toward chip seals
 - Overlays used only where structural defects exist
 - Targeting a 10-year chip seal cycle
 - Use a smaller aggregate on local streets and somewhat larger on collector and larger streets
 - Street Fund receives REET, General Fund transfers, TBD revenue, and a dedicated portion of Gambling Taxes

Mr. Williams explained chip sealing does not address any structural or road base issues. A road must be in reasonable condition when it is chip sealed. Shoreline’s roads are in much better condition than Edmonds’ roads

and more of Shoreline's roads would be good candidates for chip seal. There are many roads in Edmonds that would be good candidates for chip seal as long as the compromises of chip seal are acceptable.

Advantages of chip seal include:

- Cost effective pavement life extension
- Fill in surface cracks and prevent larger cracks from forming. Eliminate water from the road base
- Good durability at low cost
- Ease of construction
- Improved skid resistance

Disadvantages of chip seal include:

- Does not address any structural problems
- Cure time: Can take several hours (depending on climatic conditions) to reach a stage where they can tolerate unrestricted traffic.
- Flying chips: surface must be swept several times to remove excess chips, to avoid broken windshields and vehicle damage (note: additional polymer can be added to fog sealant to help solidify)
- Noise considerations: Chip seals can be noisy to travel on.
- Performance: Chip seals create a rougher surface. Ride quality isn't improved. They do not solve structural problems

Mr. Williams summarized:

- A standard chip seal application costs 25% to 40% as much as a 2 inch grind and overlay and lasts half as long
- Chip seals have improved with the advent of asphalt tack products that are quicker setting
- Edmonds has many streets with structural problems that chip seal would not be suitable for and will need structural solutions
- Chip seals could be an important tool in a robust pavement management program for Edmonds
- Even though chip seals are cost-effective for many streets, Edmonds does not have a revenue source to do them
- There is no shortage of knowledge, there is a shortage of funds

Councilmember Fraley-Monillas relayed she has driven nearly every chip sealed road in Shoreline. She found them noisy; there is a constant humming sound from the road. She also noticed when driving downhill, her car pulled somewhat when braking. She relayed that Mr. Hertrich said he did not have that problem but he drives a much heavier car. She summarized a chip sealed road was not as smooth as a flat, paved road. Mr. Williams said he had not experienced or heard about pulling when braking downhill.

Councilmember Petso asked if a survey of street conditions had been completed recently. Mr. Williams answered yes. Councilmember Petso asked if that survey would identify streets that would be candidates for chip seal. Mr. Williams answered that would be possible. Councilmember Petso asked whether staff could identify streets with lower level of turning activity or less concern with noise. Mr. Williams answered staff could review the inventory of street segments and identify streets that would be candidates for chip seal. He pointed out that if funds were scraped together to chip seal a few street segments, the best candidates will be some of the best streets that have not failed to the point that the chip seal technique is no longer applicable. From a political standpoint, citizens who live on streets in poor condition may question applying chip seal on those roads. Chip seal is best used on a street that may not look that bad. The streets that are in poor condition and need to be reconstructed require a higher level of pavement preservation that is much more expensive.

Councilmember Petso asked if there is a priority list for overlays. Mr. Williams answered a detailed plan has not been developed because there has been no reason without any funding. Consideration would need to be given to

the appropriate technique for each segment. If the City had the resources, all the tools could be used to address the City's streets.

Councilmember Petso observed Shoreline is prioritizing chip seal over overlays. Mr. Williams answered Shoreline's Public Works Director came from Colorado where the culture is slightly different and chip seals are common. Colorado even does chip seal on their interstates. Shoreline will also pave some street segments.

Mayor Earling declared a brief recess.

9. UPDATE ON REGIONAL FIRE AUTHORITY AND AUTHORIZATION TO SIGN INTERLOCAL AGREEMENT.

Council President Peterson explained discussions regarding a Regional Fire Authority (RFA) have occurred since 2011. Councilmember Petso is the senior member serving on the RFA Planning Committee since last fall; Mayor Earling and he began serving in January 2012. The RFA Planning Committee is comprised of 27 elected officials from Edmonds, Lynnwood, Mukilteo, Woodway, Brier, Mountlake Terrace, Mill Creek, and Fire Districts 1 and 7. If these jurisdictions formed a RFA, it would create one taxing authority to provide fire service to those jurisdictions. There was some discussion early in the process about hiring a consultant to do the work for the entities but it was felt it would be cost prohibitive so the work has been done in-house. Through the direction of the committee, primarily Fire District 1's finance staff has been running numbers and reporting to the Finance Subcommittee which Councilmember Petso serves on and the Level of Service Subcommittee which he serves on. Mayor Earling serves on the Communications Subcommittee.

Edmonds took the lead in asking that a consultant be hired to check the work done to date. Fire District 1's staff is capable of doing the work but it is important that an independent review be done because Fire District 1 obviously "has a lot of skin in this game" and would like to see this work. He assured he was not saying Fire District 1 is not above board in their work but for a relatively small cost, an outside agency could review the work done to date and make a recommendation regarding how to move forward. The majority of elected officials felt it was important to have an independent review.

There are still a lot a lot of big issues to be addressed in the next few months, including 1) the governance structure, and 2) a fire benefit charge. He explained a finance benefit charge is a new way of taxing those who receive fire service. Edmonds' representatives feel a finance benefit charge is better for residential communities because it is based on the cost of service; a fire response to a commercial building is more expensive than a single family residence. Early models of the fire benefit charge do not reflect that.

Council President Peterson reviewed a proposed timeline, recognizing it was aggressive:

- Consultant report provided end of October
- Consultant present to committee on November 7
- Governance model discussed November and December
- Fire benefit charge reviewed by Finance Committee November and December
- Resolution of support to Councils in February 2013
- First quarter 2013:
 - Work plan finalized
 - Organization name selected
 - Approve work plan
 - Collective bargaining agreements
 - Create organization chart
- RFA on ballot in May 2013

Councilmember Buckshnis asked whether Edmonds could join at a later date if the City chose not to opt in at the beginning. Council President Peterson answered Edmonds could allow the RFA to form and as long as part of Edmonds borders touch the RFA, Edmonds could join at a later date.

Councilmember Buckshnis asked if Edmonds was agreeing to join the RFA via approving the Interlocal Agreement. Council President Peterson responded the request is to authorize participation in a consultant contract not to exceed \$25,000. He anticipated the first part of the contract will be closer to \$15,000; that amount will be split between the 9 jurisdictions. The contract is only for a consultant to conduct an independent review of the work done to date and hopefully make some recommendations regarding moving forward. The remainder of the \$25,000 would be used to bring the consultant back for 2-3 more meetings. He assured tonight's decision had no effect on whether the City joined the RFA.

Councilmember Buckshnis asked how the City's portion of the \$25,000 would be funded. Council President Peterson answered it would be funded from the General Fund. The consultant will bill cities as work is done; at the most it will be approximately \$2700 per jurisdiction. Councilmember Buckshnis summarized this is an independent review and will not require the City to make a decision one way or another. Council President Peterson agreed.

Councilmember Fraley-Monillas commented it was a good idea to have an independent review as a RFA will be costly to everyone in the end. She asked for Councilmember Petso's input.

Councilmember Petso responded it was a good piece of politicking by Mayor Earling, Council President Peterson and her to swing the independent consultant review. There was considerable resistance at first from some electeds who simply wanted to proceed. She apologized that this came to the Council without advance warning but the cost is \$2700 or less.

Council President Peterson commented this item did not go through Council committee as the decision to ask for an independent review by a consultant was made at last Wednesday's RFA meeting.

Councilmember Bloom referred to Council President Peterson's comment that Fire District 1 has a lot of skin in the game. She inquired about Fire District 1's position regarding an RFA. Council President Peterson answered in general Fire Districts 1 and 7 are in favor of regional fire authorities because they believe it is a better model and will improve service. From a financial standpoint, because the fire districts' only source of revenue is based on assessed value, the decline in property values in recent years has significantly impacted their revenue stream. In a RFA with a fire benefit charge, revenue is based on use, not just assessed value. He summarized an RFA provides much more flexibility with regard to taxing authority.

Councilmember Bloom asked what the consultant will be asked to review. Council President Peterson answered the work to date has been developing a preliminary budget and cost assessment of what a RFA would cost with all nine jurisdictions participating. Those numbers have changed drastically over the months. The consultant's primary task will be to look at the budget that was created and determine if it is realistic; whether a RFA can survive on that budget.

COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCILMEMBER FRALEY-MONILLAS, TO AUTHORIZE THE MAYOR TO SIGN THE INTERLOCAL AGREEMENT. MOTION CARRIED UNANIMOUSLY.

11. NONREPRESENTED EMPLOYEE COMPENSATION STUDY AND POLICY DISCUSSION.

Council President Peterson explained there are two issues before the Council, 1) nonrepresented pay for 2012 which is already budgeted, and 2) the policy moving forward.

COUNCIL PRESIDENT PETERSON MOVED, SECONDED BY COUNCILMEMBER PETSO, TO EXTEND THE MEETING FOR ONE HOUR. MOTION CARRIED (4-2), COUNCILMEMBERS FRALEY-MONILLAS AND JOHNSON VOTING NO.

Parks & Recreation Director Carrie Hite explained the compensation consultant presented a final report to the Council on July 24. After that meeting, Council requested additional time to study the materials and staff and the consultant to return in September for a brief presentation, answer any additional questions and to take public comment. She introduced the consultant Matt Weatherly.

Matt Weatherly, President, Public Sector Personnel Consultants reviewed the project scope and deliverables:

- Nonrepresented Compensation Survey comparing City's total compensation plans by benchmark job as well as benefits offerings and salary policies, to the appropriate marketplace(s).
- Updating of compensation policies for nonrepresented job titles and development of updated pay structure to ensure a fair, appropriate and competitive pay system.

The City's non-represented classifications were compared to the following approved comparators: Bothell, Bremerton, Burien, Des Moines, Issaquah, Kirkland, Lacey, Lynnwood, Olympia, Puyallup, Sammamish, and University Place. Private sector data from published surveys for many occupations such as finance, IT, engineering, etc. was also included.

Mr. Weatherly reviewed survey findings:

- The City's current base pay bands are much wider than market average, making it appear that the City's entry rates are lower than market and top-out rates are higher than market. This can be addressed by raising minimums to ensure the City is competitive when recruiting and lowering maximums to ensure a long tenured employee is paid comparable to the top that is found in the marketplace.
- Using a calculated midpoint halfway between current minimum and maximum, 72% of the titles surveyed are currently within 10% of market median. The majority of Edmonds actual salaries are much nearer to calculated midpoint than to pay band maximum.
- The City is offering a competitive number, type and level of nonrepresented employee benefits.
- The City is slightly behind average for medical insurance premium allowances and management/admin leave.
- A few other cities offer an employer-funded deferred compensation plan and/or administrative/management leave; Edmonds currently does not.
- The City's pension contributions, paid time off and other benefits are comparable to those found in the survey cities.

Mr. Weatherly provided charts comparing monthly medical benefits amount and percentage for a single employee and for employee and family as compared to comparator cities and represented Edmonds Police. Edmonds is the only city that does a 90/10 split for employee only medical premiums; every other comparator city paid 100% of employee medical premiums. The 90/10 split is more common for employee plus family.

Mr. Weatherly pointed out Edmonds' nonrepresented positions are unionized in some comparator cities. All positions, with the exception of those with an employment contract, have the right to create an association.

Mr. Weatherly reviewed additional findings:

- The City does not currently provide consistent salary administration for nonrepresented positions. Union groups have been able to negotiate a more significant increase over the last several years as compared to nonrepresented employees.
- There seems to be little internal equity* between represented and nonrepresented groups, leading to compression** issues.
- Current comparables with the Police Department and nonrepresented positions are less than the average.

* internal equity reflects a comparison of positions in the organization that are similar in the difficulty of skill, effort, responsibility level and working conditions in order to ensure they are paid appropriately and fairly.

** Compression is when the salary difference between senior and junior level staff (such as between supervisor and subordinate) is smaller than it should be.

Mr. Weatherly displayed a chart comparing represented and nonrepresented salary growth over the past six years. Cost of living adjustments (COLA) for represented employees over the past six years have averaged 5-7%; COLA for nonrepresented have averaged 2% or less. He preferred all positions be placed in a similar relationship to market and that all positions have a similar end range opportunity for salary administration.

Mr. Weatherly reviewed components of the recommended Compensation Plan:

- A new salary range structure has been proposed that places all nonrepresented positions on a pay range in alignment with market values.
- The proposed structure is narrower than the current pay bands and allows for merit-based step increases.
- The nonrepresented structure and nonrepresented salaries should be afforded the same annual salary adjustment budget as is approved for union COLAs and negotiated increases to avoid compression.
- The new salary range assignments for each job contain lower, more attainable top-out values than the current pay band structure while remaining market-competitive at entry and top-out.
- The City's total spending for salaries and related benefits will be lower in the long term than had employees been able to achieve the current pay band maximum pay values. Potential total salary liability savings estimate of \$250,000.

Mr. Weatherly displayed and reviewed a chart of proposed salary ranges compared to current salaries and current ranges for all nonrepresented positions. He explained there are nonrepresented employees that are close to midpoint, some that are below the proposed midpoint, and some that are at the top of their proposed maximum.

Mr. Weatherly reviewed the study recommendations (made prior to the Council's July 24 feedback):

- Adopt proposed Salary Range Table.
- Adopt a new Compensation Policy:
 1. Survey comparators – model for now and future updates.
 2. Application of market data – pay structure comparisons and desired competitiveness level.
 3. Objective and sustainable in-range pay adjustments to assure retention and alleviate compression. Approximately 35% salary range bands with steps built in.
 4. Hiring, placement, supervisor/subordinate and merit/market guidelines have been proposed.
 5. Consider employment contracts for directors.
- To avoid further compression between nonrepresented and represented positions, provide COLA, step increases and longevity pay adjustments equitably and consistently
- Consider adding deferred compensation or other non-monetary benefit to remain competitive.
- Consider education incentive for Police nonrepresented positions.
- Freeze the salaries of those employees who are topped out, until adjustments are made.

Mr. Weatherly summarized:

- The initial cost to implement the plan is driven by employee salaries falling in between one of the steps within the pay range proposed for their job class.
- 25 nonrepresented employees' salaries fall between Step 1 and 7 within their job's pay range; a total base pay amount of \$60,476 is needed to place each employee on a step.
- The initial step placement does not replace a budgeted COLA.
- The 1.5% COLA, consistent with SEIU, Teamsters, and Law Support, would cost \$52,506 and is currently in the 2012 budget.
- Longevity, consistent with represented employees benefit would cost \$29,849.
- Deferred Compensation would cost \$35,004 for each 1%.
- Educational incentive (4%) for Police Chief and Assistant Police Chief would cost \$11,002.

Due to her position on the City's negotiating team and her fear this discussion may compromise her position, Councilmember Fraley-Monillas recused herself. She left the dais at 10:20 p.m.

Councilmember Buckshnis relayed her understanding the 1.5% COLA budgeted for 2012 was approximately \$80,000. Ms. Hite responded there is a 1.5% COLA and 1.5% merit budgeted for nonrepresented employees in 2012; together those total approximately \$88,000.

Mayor Earling opened the opportunity for public comment. There were no members of the public present who wished to provide comment. Mayor Earling closed the opportunity for public comment.

In response to an earlier question from Councilmember Fraley-Monillas regarding job attrition, Ms. Hite distributed a list of job vacancies and fills since 2007. There are no vacancies/fills shown after April 2012 due to the hiring freeze that took place in April 2012.

Ms. Hite reviewed costing options:

- Amount already in budget for non-represented compensation: \$88,000
- 1.5% across the board COLA: \$51,761
- 1.5% COLA, to those not at top step of new salary schedule: \$ 40,328
- Steps:
 - Anyone between steps would go to the next step: \$61,683
 - Steps, then COLA's: \$89,359
 - COLA's, then steps: \$91,174
- Longevity: \$ 30,163 (similar to SEIU and Teamsters)
- Deferred Comp @ 1%: \$35,419
- Deferred Comp @ 2%: \$70,838
- Educational Incentive (Chief of Police, ACOP): \$11,000

Ms. Hite reviewed other questions raised by the Council:

- What to do with people who are maxed out?
- Phasing steps over 2 or 3 years
- Management Leave
- Employment contracts
- Fair Labor Standards Act (FLSA)
 - The Compensation consultant determined several positions should be non-exempt according to FLSA. The City Attorney determined those positions are not union eligible.
- Code changes
 - Whatever compensation policy is adopted, there will need to be code changes.

Ms. Hite requested Council direction regarding the following:

- COLA:
 - Lump sum or % combined with placing people on steps
 - What to do with employees who are at top step or above?
- Steps: Phase in over 2 or 3 years
 - Two years: \$36,115 first year and approximately \$25,000 second year
 - Three years: first year \$31,992, second year \$20,000, third year \$10,000

Councilmember Buckshnis preferred to do the step increases prior to a COLA and she preferred a 2-year phase in. She recommended distributing any remaining funds to each person because they have not received increases in a while.

If the Council proceeded as Councilmember Buckshnis suggested, Councilmember Petso pointed out a portion of the resources would go to nonrepresented employees who are at or beyond the top of their range. Ms. Hite agreed. Councilmember Petso suggested doing step increases without COLA or merit increases would put the resources in the hands of those not yet within their pay range. Ms. Hite clarified everyone is within their pay range except for two employees who are below the pay range. The idea of putting nonrepresented employees on steps is to progress toward adopting a compensation policy so that nonrepresented employees can progress through those ranges.

Councilmember Petso observed by doing step increases, any nonrepresented employee above their pay range would not share in an increase to move them to the next step. Ms. Hite agreed.

For Council President Peterson, Ms. Hite advised there is \$88,000 allocated in the 2012 budget, 1.5% COLA and 1.5% merit. Council President Peterson asked whether those funds could be used for step increases. Ms. Hite answered it could. Council President Peterson observed a 1.5% COLA and moving nonrepresented to the next step was fairly close to the amount budgeted in 2012. Ms. Hite agreed.

Council President Peterson observed a 2-year phase in would save some of the funds that were budgeted in 2012. Ms. Hite agreed a 2-year phase in would save approximately \$25,000. Council President Peterson asked when nonrepresented employees last received a COLA. Ms. Hite answered 2009. Council President Peterson asked when nonrepresented employees last received a merit increase. Ms. Hite answered merit increases are subjective and random and given at the Mayor's discretion. She was unsure how former Mayors Haakenson or Cooper awarded merit increases; Mayor Earling has drawn a hard line with merit increases, only giving a few.

Council President Peterson observed the Council approved the funds in the 2012 budget and use of the funds was delayed to complete the compensation study to ensure wages were not out of line with comparator cities. He observed the amount budgeted in the 2012 budget was close to the amount needed but some of that amount could be saved via a 2-year phase in.

COUNCIL PRESIDENT PETERSON MOVED, SECONDED BY COUNCILMEMBER PETSO, TO AUTHORIZE THE MAYOR TO GIVE A 1.5% COLA AUTHORIZED IN LAST YEAR'S BUDGET AND TO BEGIN THE PHASE IN OF THE STEP PROGRAM WHICH IN YEAR ONE WOULD COST AN ADDITIONAL \$36,000 AND TO AUTHORIZE THE MAYOR TO SPEND THE AMOUNT NECESSARY TO ACCOMPLISH THAT.

Councilmember Petso explained she was not interested in allocating scarce resources to nonrepresented employees already at or beyond their pay range according to the compensation study. A COLA would provide an increase to all nonrepresented employees. She preferred to spend scarce resources putting everyone on a step which would allocate funds to nonrepresented employees and that would position the City to implement the salary policy next year. Although she seconded the motion, she will likely vote against it.

Councilmember Bloom explained she would not support the motion for reasons similar to Councilmember Petso's. She did not feel the City was in a position to award across-the-board 1.5% increases. In order of priority, she preferred nonrepresented employees who are below the recommended range to be lifted up and a 3-year phase in of the steps rather than a 2-year phase in. She pointed out a compensation study has never been done and the Council is being asked to correct disparities that have formed over many years and therefore it should be phased-in more slowly. She was inclined to support a lump sum allocation but would not support a 1.5% across-the-board increase.

Ms. Hite continued her presentation, requesting Council direction on the following:

- Longevity: \$30,163
- Deferred Comp: 1% = \$35,419
- Educational Incentive/Police: \$11,000

- Management Leave: 24 or 32 hours
- Compression Issues: 3 positions, \$10,000
- Below Range: 2 positions, \$4029
- Director Contracts
- 2013 Compensation direction

THE VOTE ON THE MOTION FAILED (1-4), COUNCIL PRESIDENT PETERSON VOTING YES.

COUNCILMEMBER BUCKSHNIS MOVED, SECONDED BY COUNCIL PRESIDENT PETERSON, TO PLACE EVERYONE ON A STEP, DO A 2-YEAR PHASE-IN, AND THE REMAINING, ABOUT \$52,000, BE DIVIDED UP IN A LUMP SUM AMONG THOSE INDIVIDUALS THAT ARE IN THEIR RANGE. FOR THOSE ABOVE THEIR RANGE, PROVIDE MANAGEMENT LEAVE OF 24 HOURS/YEAR.

Councilmember Buckshnis estimated there are five nonrepresented employees above their range. She explained her proposal was to distribute the \$50,000 remaining after placing everyone on a step as a lump sum payment to those who are within their range. This would allow the Council the prerogative to use this same concept next year. She summarized the Council would need to budget the \$25,000 next year to complete the 2-year phase-in.

Council President Peterson commented one of the reasons for this exercise was to limit risk management related to labor practices that exist with a merit system. He asked IF a lump sum payment where some nonrepresented employees receive an amount and some do not would add to the risk of either a lawsuit or a significant number of employees who are not happy with the decision. Mr. Taraday restated the question, whether the allocation of the remaining approximately \$50,000 among nonrepresented employees within their range but not above their range, would that allocation create legal risk? He did not see any legal risk to doing that. Human Resources Manager Mary Ann Hardie commented issues that need to be considered from a human resources perspective is whether an employee is adversely impacted, potential unintentional impacts on a minority protected class, potential age discrimination, etc. The potential for unintended impacts would need further research.

Council President Peterson explained the impetus for this effort was risk management and taking the guesswork out of the current merit system. His concern would be how the \$50,000 would be divided up and ensuring it was done in a way that minimized risk.

Councilmember Buckshnis provided the following example: if there were 5 people, the \$50,000 would be divided 5 ways and each employee would receive \$10,000 regardless of their color, size, etc. She did not understand the potential for discrimination. Ms. Hardie explained the group as a whole needs to be considered; it seems intuitive that a policy can be applied but a deeper analysis is required to determine who potentially could be adversely impacted.

Councilmember Petso said she will likely vote against the motion because it is getting too complicated.

Council President Peterson commented dividing an amount equally among employees did not necessarily recognize a number of things; for example a new employee would receive the same cash bonus as a 20-year employee. He did not agree with dividing up the amount equally.

COUNCILMEMBER BUCKSHNIS WITHDREW HER MOTION WITH THE AGREEMENT OF THE SECOND.

COUNCILMEMBER PETSO MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO BEGIN A MOVE TOWARD PUTTING EVERYONE ON STEPS WITHIN THE PROPOSED PAY RANGES WITH A 2-YEAR PHASE-IN, NO COLA, NO BONUS, NO MANAGEMENT LEAVE, AND IN ADDITION TAKE CARE OF THE THREE POSITIONS WITH COMPRESSION ISSUES THAT HAVE BEEN IDENTIFIED BY THE STAFF.

Councilmember Petso asked whether her motion would address the three positions that are below their range. Ms. Hite answered she would need to calculate whether a 2-year phase in would get them to the bottom step. Councilmember Petso observed if not, they would reach the bottom step next year. Ms. Hite agreed.

Council President Peterson commented the proposed motion falls short for him. He agreed with beginning the step increases but pointed out nonrepresented employees have not had a COLA for several years. He was concerned that compression and other issues are not addressed without a COLA. The proposed motion was not enough to bring equity to nonrepresented employees who have done a lot over the past few years.

COUNCILMEMBER BUCKSHNIS MOVED TO AMEND THE MOTION TO ADD 24 HOURS OF MANAGEMENT LEAVE. MOTION DIED FOR LACK OF A SECOND.

Councilmember Johnson asked the cost of implementing the step increase in one year. Ms. Hite answered about \$61,000. Councilmember Johnson inquired which three positions have compression issues. Ms. Hite answered the Wastewater Treatment Plant Supervisor, the Building Official, and the Street Stormwater Manager.

Councilmember Johnson asked whether any of the compression issues were in the Police Department. Ms. Hite answered there are compression issues in the Police Department due to add-ins officers receive, overtime and educational incentive. Councilmember Johnson asked whether there were any compression issues related only to salary in the Police Department. Ms. Hite answered there were not.

Mayor Earling said he personally had an issue with not utilizing the funds set aside in the 2012 budget for COLA for the nonrepresented employees. Many of them have been working for 2-3 years without any pay adjustment; it is deficient not to address that issue in some way.

Council President Peterson asked whether it is imperative that the Council make a decision tonight. Ms. Hite answered it is not imperative; there are a few more steps in the process. Once the Council makes its decisions, staff will need to return with an ordinance as well as revise the compensation policy for Council adoption.

Council President Peterson requested staff return with information regarding how positions with compression issues and how the nonrepresented employees under their pay range would be addressed.

COUNCIL PRESIDENT PETERSON MOVED, SECONDED BY COUNCILMEMBER JOHNSON, TO TABLE THIS ITEM. UPON ROLL CALL, MOTION CARRIED (3-2), COUNCIL PRESIDENT PETERSON AND COUNCILMEMBERS BUCKSHNIS AND JOHNSON VOTING YES; AND COUNCILMEMBERS PETSO AND BLOOM VOTING NO.

Ms. Hite offered to have staff research the potential adverse impacts of a lump sum payment.

Councilmember Buckshnis asked for numbers of the following scenarios:

- 1-year, 2-year and 3-year phase-in
- Compression
- Steps
- Lump sum
- COLA
- Management leave

(Councilmember Fraley-Monillas returned to the dais.)

12. REPORT ON CITY COUNCIL COMMITTEE MEETINGS OF SEPTEMBER 11, 2012.

Finance Committee

Councilmember Buckshnis reported the committee discussed:

- REET funds: will come to full Council for discussion in October.
- Artwork donation from the Edmonds Art Festival Foundation: required public hearing will be scheduled in October.
- Propane conversion: approved by Council tonight.
- Stormwater exception: will come to full Council. The Parks, Planning and Public Works Committee will consider a policy.
- July 2012 Monthly Financial Report
- Addition to 2013 budget document: discuss with budget presentations
- 2013 Budget Schedule: presented to Council tonight

Parks, Planning and Public Works Committee

Councilmember Fraley-Monillas reported the committee discussed the farmers market in the BC and BD zone. Most of the other items on the committee's agenda were approved on tonight's Consent Agenda with the exception of the CIP. The CIP will be presented to the full Council on October 2.

Public Safety and Personnel Committee

Councilmember Bloom reported the committee discussed:

- Taking minutes in executive session.
- Job descriptions: represented positions forwarded to Council, nonrepresented positions will be further reviewed at a meeting later this week.
- Ordinance change for Salary Commission: neither committee member supported the change and it was not forwarded to Council.

13. MAYOR'S COMMENTS

Mayor Earling reported a resolution regarding the Paine Field issue will be presented to the Council next week.

Mayor Earling thanked Ms. Hite, Parks staff and Police staff, Councilmember Johnson and himself for helping with the half marathon on Sunday.

14. COUNCIL COMMENTS

Councilmember Petso reported the Historic Preservation Commission (HPC) received a grant for the 2014 calendar. Staff requested approval of the grant go to full Council rather than through committee. Establishment of an account for the 2013 calendar (the HPC plans to collect the funds themselves) will be reviewed by committee and forwarded to the Council.

Councilmember Petso reported cement panels that contain the original name of the street, George, in honor of George Brackett, were removed as part of the Main Street project. A decision apparently was made not to incorporate the cement panels in the new work on Main Street. She is investigating whether they can be incorporated.

Councilmember Petso suggested the Public Safety and Personnel Committee consider whether to appoint a Council representative to attend School Board meetings. She also suggested Council consider adopting a policy regarding the ability for a Councilmember to participate and vote via speaker phone and imposing any reasonable conditions. Reasonable conditions may be that the Councilmember can hear, the Councilmember can be heard and that the Councilmember has access to the packet.

Councilmember Buckshnis reported she was cheering participants of the half marathon as her house is on mile 13.

Council President Peterson also thanked Ms. Hite and staff for their efforts related to the marathon. He further reported Councilmember Yamamoto had heart valve restructuring surgery. He is home and progressing well; his prognosis is excellent. He relayed Councilmember Yamamoto's appreciation for the incredible amount of support he has received from City staff and citizens.

Councilmember Bloom reported she attended the Police Department's Centennial Celebration on Sunday. It was well attended, very informative and enjoyable.

15. ADJOURN

With no further business, the Council meeting was adjourned at 11:07 p.m.